



Ninety-Seventh Legislature - First Session - 2001
Committee Statement
LB 573

Hearing Date: 2/12/01
Committee On: Education

Introducers: (Redfield, Quandahl)
Title: Change provisions relating to student enrollment and the enrollment option program

Roll Call Vote – Final Committee Action:

Advanced to General File
X Advanced to General File with Amendments
Indefinitely Postponed

Vote Results:

| | | |
|---|---------------------|--|
| 7 | Yes | Senators Stuhr, Coordsen, Suttle, Maxwell, Raikes, Brashear, Price |
| 0 | No | |
| 0 | Present, not voting | |
| 1 | Absent | Senator Wickersham |

Proponents:

Senator Pamela Redfield
Al Inzerello
Brian Halstead
Virginia Moon

Representing:

Introducer
Westside Community Schools
Department of Education
Ralston Public Schools

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 573 amends the residency and enrollment option provisions. The residency provisions are amended by allowing students of divorced parents to attend school in the district where they themselves reside or where any parent resides. The option provisions are amended by removing restrictions and deadlines.

Section 79-215 is amended by adding that a student whose parents are divorced or legally separated shall be admitted without charge to a school district in which any parent resides or in which the student resides. This provision was in § 79-215 until the passage of LB 1243 last

session. That bill recognized that a student is a resident of the district where that student resides for the purpose of school district admissions.

Section 79-234 is amended by removing the restriction that limits access to the option program to once for each student unless the student relocates, the option district merges, or the option district is a Class I district. An obsolete restriction is also removed.

Section 79-237 is amended by removing the application deadlines for the option program. The option district will be required to provide the resident school district with the name of the applicant within 15 days after receipt of the application. The option district would be required to accept or reject the application within 45 days. Notice of acceptance or rejection would no longer go the Department of Education, but would continue to go to the parent or legal guardian and the resident school district.

The deadlines are also removed for students whose resident school district has a desegregation plan, but the requirements for an application to the resident district and approval from the resident district remain. The resident district in this situation has 45 days to accept or reject the application, then the option district has 45 days after notification from the resident district to accept or reject the application.

The requirement is deleted for options students to attend the option school district until graduation unless the student relocates, transfers to a private or parochial school, or chooses to return to the resident school district.

Section 79-238 is amended by making a cross reference to § 79-266.01, which would not allow the acceptance of a student who has not completed the terms of an expulsion without approval of the option district school board. Other modifications to the section include harmonizing changes and the removal of obsolete language.

Section 79-240 is amended by removing an obsolete provision.

Legislative Bill 811 was introduced by Senator Bohlke in 1999 to remove the option deadlines and other restrictions. That bill was held by the Education Committee until the end of the 2000 legislative session.

Explanation of amendments, if any:

The committee amendments would strike the original provisions except the cross reference to § 79-266.01 is retained in § 79-238. Section 79-266.01 prohibits the enrollment of a student who has not completed the terms of an expulsion without approval the school board.

Section 79-215 would be amended by stating that a student may also be a resident of any school district where at least one of his or her parents reside. Currently, a student is a resident of the school district where the student resides.

Section 79-237 would be amended by moving the January 1st option enrollment application deadline to March 15th. The deadline for the option school district to provide the resident school district with the name of the applicant would be moved from January 15th to April 1st, which is

also the deadline for notifying the parents or legal guardians, the resident school district, and the Department of Education, that the application has been accepted or rejected. The deadlines were not changed for students who reside in a school district with a desegregation plan.

Senator Ron Raikes, Chairperson